GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Surprise Check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 21-12-2013 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Sk.Azad Zakir, Motor Vehicle Inspector, Transport Wing - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.751 **Dated:06-06-2018**
Read:

G.O.Ms.No.293, Revenue (Vigilance – II) Department, Dt:06-06-2018.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Sk.Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Sk.Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Sk.Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Sk.Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

To

Sri Sk.Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District (w.e, Annexures-I to IV) **through** the Transport, Roads & Buildings (Vigilance.Tr) Department, A.P.Secretariat, Velagapudi. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Transport, Roads & Buildings (Vigilance.Tr) Department, A.P.Secretariat, Velagapudi.

Copy to:

The Commissioner of Transport, AP, 3rd Flore, NTR Administrative Block, PN Bus Station, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI S.K. ZAKIR, MOTOR VEHICLE INSPECTOR, TRANSPORT WING, ICP, BV PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Shaik Azad Zakir, while working as Motor Vehicle Inspector, Transport wing, Integrated Check Post, B.V.Palem, Tada Mandal, was appointed as a Typist in Transport Department and got periodical promotions and worked as Motor Vehicle Inspector at Integrated Check Post, BV Palem Check Post, Tada, SPSR Nellore District from 18-07-2011. While he was working as Motor Vehicle Inspector, Integrated Check Post, BV Palem, Tada on 21-12-2013 has committed grave mis-conduct as much as:-

CHARGE:-

That the Sri Shaik Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal has exhibited gross negligence of duty and slack supervision. He allowed the Assistant Motor Vehicle Inspectors and Attender to engage private persons to keep the unaccounted amount for collecting bribes from the crew of the vehicles assing through the check post to pay the amounts by ignoring their violations.

Thus, Sri S.K.Zakir, Motor Vehicle Inspector by the above mentioned acts has exhibited slack supervision, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 3(1) (2) & (5) and rule 9 (8) (A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI S.K. ZAKIR, MOTOR VEHICLE INSPECTOR, TRANSPORT WING, INTEGRATED CHECK POST, BV PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri S.K.Zakar, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, BV Palem, Tada Mandal is native of Nellore, SPSR Nellore District and he joined in Government Service on 03-03-1987 as Typist and promoted as Assistant Motor Vehicle Inspector on 18-11-2008 and working on deputation at Integrated Check Post, B.V.Palem, Tada Mandal, Nellore District. His date of birth is on 03-02-1964 and date of retirement on attaining the age of superannuation is 31-01-2024. He is here-in-after referred to as Government Servant.

CHARGE:-

That the Suspected Officer-1 Sri Shaik Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal has exhibited gross negligence of duty and slack supervision. He allowed the Assistant Motor Vehicle Inspectors (namely M.Suneel and Y.V.Purnachandra Rao) and Attender (namely Shaik Karimullaah) to engage private persons to keep the unaccounted amount for collecting bribes from the crew of the vehicles passing through the check post to pay the amounts by ignoring their violations.

FACTS AND EVIDENCE:-

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal SPSR Nellore District are indulging in corrupt practices and collecting mamools from the crew of vehicles plying through Integrated Check Post, B.V.Palem, a surprise check was conducted over transport wing, prohibition and excise wing, commercial taxes incoming and outgoing wings of Integrated Check Post, B.V.Palem on 21-12-2013 from 00.30hrs to 06.00hrs with four teams headed by the Deputy Superintendent of Police, Anti Corruption Bureau Nellore Range, Nellore in the presence of mediators. The Surprise check revealed the following irregularities and violations. The officials of transport wing engaged two private persons for collecting mamools ranging from Rs.50/- to 3,000/- from the crew of the vehicles as usual practice for ignoring the violations of M.V.Act, and other relevant acts. An unaccounted amount of Rs.23,060/- was seized in the premises of transport wing. The officials of transport wing engaged two private persons namely Kanipakam Dayakar and Rakapalem Suresh for collection of mamools from the crew of the vehicles and an amount of Rs.6,730/- was found with said private persons and he also allowed Two Assistant Motor Vehicle Inspectors and attender to keep an amount of Rs.8,350/- in rexine bag which was kept on the parapet wall in the premises of Transport Wing Attendance registers/duty registers and personal cash register and other relevant documents of Integrated Check Post were seized. Individual cash register, duty charts of Assistant Motor Vehicle Inspectors and constables/attenders were seized.

As per the personnel cash register Sri M.Suneel Assistant Motor Vehicle Inspector declared that he had Rs.400.00 with him and Y.V.Purna Chandra Rao, Assistant Motor Vehicle Inspector declared he had Rs.500.00 with him and SK.Kareemulla had Rs.400.00 with him. They have declared so in the personnel cash register maintained from 20-12-2013 9 PM to 21-12-2013 8 AM. As per the duty register they were on duty by the time of the surprise check. Further the 2 private persons voluntarily stated that they were acting as per the directions of the above Assistant Motor Vehicle Inspectors and collected the amounts illegally from the lorry drivers and they were advised to hand over the same after the above officials leaving

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the premises after completions of their duties. Further the lorry drivers when examined stated that they are paying the mamools to the transport department and the two private persons have received the amounts on the instructions of the above Assistant Motor Vehicle Inspectors.

The Government Servant have to inspect and checkout the happenings of the check post relating to his wing and if any malpractices were noticed by him he has to take action against the wrong doers. In this case the Government Servant had the knowledge of collecting of mamools by Assistant Motor Vehicle Inspectors through the private persons allowed them to continue their illegal activities and thereby he exhibited lack of devotion and slack supervision and himself rendered for the departmental action under rule 3(1)(2) and (5) and rule 9(8)(A) of Andhra Pradesh Civil Services Conduct Rules 1964.

Thus the Government Servant Sri Shaik Azad Zakir, Motor Vehicle Inspector, Transport Wing, Integrated Check Post, B.V.Palem, Tada Mandal by his above-mentioned acts has exhibited slack supervision, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1)(2) & (5) rule 9(8)(A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for his misconduct.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES

1. Sri kallagiri Ramesh Babu S/o Nagi settee, Age:27 years, Gandigovuru Village, YSR Kadapa District.
2. Sri N.Bala Veera Reddy S/o Pulla Reddy, Vallampadu Village, Koyalagunta, Khammam District.
3. Sri DSR Manohar Rao S/o Venkata Subbaiah, Age:46 years, Senior Assistant, Panchayat Raj Division, Ongole, Prakasam District.
4. K.Dayakar/present persons.
5. R.Suresh/Present persons.
6. Sri J.Bhaskara Rao, Deputy Superintendent of Police, Anti Corruption Bureau, Nellore.

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ANNEXURE-IV

LIST OF RECORDS

1. Duty Register (Attendance Register) of Integrated Check Post, B.V.Palem.

2. Revised duty chart of Assistant Motor Vehicle Inspectors, Integrated Check Post, B.V.Palem for the month of December.

3. Personal Cash Register of Integrated Check Post, B.V.Palem.

4. Mediators report drafted on 21-12-2013 for the surprise check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore Dist.

5. Service particulars of SO and job chart.

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